

HOUSE JOURNAL

SEVENTY-NINTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

THIRTY-SIXTH DAY — MONDAY, MARCH 21, 2005

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 134).

Present — Mr. Speaker; Allen, A.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Tourelles; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Olivo; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Absent, Excused — Allen, R.; Goodman.

The invocation was offered by Reverend Randy Vaughn, pastor, Mount Sinai Missionary Baptist Church, Port Arthur.

The speaker recognized Representative Deshotel who led the house in the pledges of allegiance to the United States and Texas flags.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for today because of important business in the district:

R. Allen on motion of Solomons.

Goodman on motion of McReynolds.

CAPITOL PHYSICIAN

The speaker recognized Representative Otto who presented Dr. Jerry Dewayne Wood of Livingston as the "Doctor for the Day."

The house welcomed Dr. Wood and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

REGULAR ORDER OF BUSINESS SUSPENDED

On motion of Representative Denny and by unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 21).

HR 837 - ADOPTED

(by Flynn)

Representative Flynn moved to suspend all necessary rules to take up and consider at this time **HR 837**.

The motion prevailed.

The following resolution was laid before the house:

HR 837, Honoring Mercy Ships, a global charity, for its dedication to serving the poor.

HR 837 was read and was adopted.

On motion of Representative Berman, the names of all the members of the house were added to **HR 837** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative Flynn who introduced the founder and board members of Mercy Ships.

(Goolsby in the chair)

HR 709 - ADOPTED

(by Zedler)

Representative Zedler moved to suspend all necessary rules to take up and consider at this time **HR 709**.

The motion prevailed.

The following resolution was laid before the house:

HR 709, Honoring the members of Girl Scout Troop 2115 on their visit to the State Capitol.

HR 709 was read and was adopted.

HR 847 - ADOPTED
(by Peña)

Representative Peña moved to suspend all necessary rules to take up and consider at this time **HR 847**.

The motion prevailed.

The following resolution was laid before the house:

HR 847, Welcoming visitors from the Delta Area in Hidalgo County and recognizing March 21, 2005, as Delta Day at the State Capitol.

HR 847 was read and was adopted.

INTRODUCTION OF GUESTS

The chair recognized Representative Peña who introduced a delegation from the Delta community in the South Texas Valley.

HR 765 - ADOPTED
(by M. Noriega)

Representative M. Noriega moved to suspend all necessary rules to take up and consider at this time **HR 765**.

The motion prevailed.

The following resolution was laid before the house:

HR 765, Recognizing the students of the Earth Tomorrow Program on their visit to the State Capitol.

(Speaker in the chair)

HR 765 was read and was adopted.

On motion of Representative A. Allen, the names of all the members of the house were added to **HR 765** as signers thereof.

GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING

The following bills were laid before the house and read third time:

HB 268 ON THIRD READING
(by Keel)

HB 268, A bill to be entitled An Act relating to the qualifications and appointment of counsel for indigent defendants in capital cases.

Amendment No. 1

Representative Keel offered the following amendment to **HB 268**:

Amend **HB 268** (2nd Reading Engrossment) on third reading as follows:

(1) On page 1, line 5, strike "Sections 2(c) and (d)" and substitute "Section 2".

(2) On page 1, line 6, strike "are amended" and substitute "is amended by amending Subsections (c) and (d) and adding Subsection (d-1)".

(3) Strike the language on page 1, line 21, through page 2, line 18, and substitute the following:

(d) (1) The Task Force on Indigent Defense [court of criminal appeals] shall adopt standards [rules] for the appointment of attorneys as counsel under this section [and the convicting court may appoint an attorney as counsel under this section only if the appointment is approved by the court of criminal appeals in any manner provided by those rules].

(2) The standards must require that an attorney appointed as lead counsel under this section:

(A) be a member of the State Bar of Texas;

(B) exhibit proficiency and commitment to providing quality representation to defendants in death penalty cases;

(C) have participated in continuing legal education courses or other training relating to criminal defense in death penalty cases;

(D) not have been found by a federal or state court to have rendered ineffective assistance of counsel during the trial or appeal of any criminal case;

(E) have at least five years of experience in criminal trial or appellate litigation or habeas corpus practice; and

(F) have participated in the preparation of appellate briefs for the prosecution or defense, or in the drafting of appellate opinions as a staff attorney for an appellate court, in felony cases, including homicide cases and other cases involving an offense punishable as a capital felony or a felony of the first or second degree.

(3) The Task Force on Indigent Defense shall maintain a list of attorneys qualified for appointment under this section and make that list available to a convicting court for the purpose of assisting that court with the appointment of qualified counsel under this section.

(4) On page 2, between lines 25 and 26, insert the following:

(d-1) The court of criminal appeals may annually review the list of attorneys qualified for appointment under this section to ensure that the attorneys included on the list are suitably qualified and proficient to be eligible for appointment. The court may determine whether an attorney is eligible for appointment on a case-by-case basis. The court may remove an attorney from the list if the attorney is determined to be ineligible for appointment.

Amendment No. 1 was adopted.

A record vote was requested.

HB 268, as amended, was passed by (Record 135): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen, A.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee;

Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Tourelles; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; Menendez; Merritt; Miller; Moreno, J.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Olivo; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen, R.; Goodman.

Absent — Dutton; Farrar; Hilderbran; Hughes; McReynolds; Moreno, P.; Seaman.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 135. I intended to vote no.

Burnam

When Record No. 135 was taken, I was in the house but away from my desk. I would have voted yes.

Seaman

HB 318 ON THIRD READING

(by Hupp, Isett, Bonnen, et al.)

HB 318, A bill to be entitled An Act relating to the confidentiality of certain records maintained by the Department of Public Safety regarding persons licensed to carry a concealed handgun.

A record vote was requested.

HB 318 was passed by (Record 136): 111 Yeas, 28 Nays, 1 Present, not voting.

Yeas — Anderson; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Chisum; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Dawson; Delisi; Denny; Driver; Edwards; Elkins; Farabee; Flores; Flynn; Frost; Gattis; Geren; Gonzalez Tourelles; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hilderbran; Hill; Hochberg; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Jackson; Jones, D.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Morrison; Mowery; Nixon; Noriega, M.; Oliveira; Olivo; Orr; Otto; Paxton; Phillips; Pickett; Pitts; Quintanilla;

Raymond; Reyna; Ritter; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solomons; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Van Arsdale; Villarreal; Vo; West; Wong; Woolley; Zedler.

Nays — Allen, A.; Alonzo; Anchia; Burnam; Coleman; Davis, Y.; Deshotel; Dukes; Dunnam; Eiland; Escobar; Farrar; Gallego; Giddings; Gonzales; Hodge; Jones, J.; Leibowitz; Moreno, J.; Moreno, P.; Naishtat; Puente; Rodriguez; Solis; Strama; Turner; Uresti; Veasey.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen, R.; Goodman.

Absent — Bailey; Castro; Chavez; Dutton; Eissler; Hughes; Peña; Riddle.

STATEMENTS OF VOTE

I was shown voting no on Record No. 136. I intended to vote yes.

Dunnam

When Record No. 136 was taken, I was in the house but away from my desk. I would have voted yes.

Eissler

I was shown voting no on Record No. 136. I intended to vote yes.

Escobar

I was shown voting no on Record No. 136. I intended to vote yes.

Giddings

I was shown voting yes on Record No. 136. I intended to vote no.

M. Noriega

HB 535 ON THIRD READING

(by Madden, Denny, et al.)

HB 535, A bill to be entitled An Act relating to the offense of using a sound amplification device near a polling place.

A record vote was requested.

HB 535 was passed by (Record 137): 126 Yeas, 10 Nays, 1 Present, not voting.

Yeas — Allen, A.; Anchia; Anderson; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Chisum; Cook, B.; Cook, R.; Corte; Crabb; Davis, J.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Griggs; Grusendorf; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; McCall; McClendon;

McReynolds; Menendez; Merritt; Miller; Moreno, P.; Morrison; Mowery; Nixon; Noriega, M.; Oliveira; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Ritter; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Truitt; Turner; Uresti; Van Arsdale; Villarreal; Vo; West; Wong; Woolley; Zedler.

Nays — Castro; Chavez; Coleman; Guillen; Martinez Fischer; Moreno, J.; Naishtat; Olivo; Rodriguez; Veasey.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen, R.; Goodman.

Absent — Alonzo; Bailey; Burnam; Crownover; Davis, Y.; Dunnam; Dutton; Hughes; Kuempel; Riddle; Thompson.

HB 708 ON THIRD READING **(by Bonnen, et al.)**

HB 708, A bill to be entitled An Act relating to the issuance of permits by the School Land Board authorizing continued use of certain structures on coastal public land.

A record vote was requested.

HB 708 was passed by (Record 138): 143 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen, A.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Olivo; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Nays — Burnam.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen, R.; Goodman.

Absent — Dutton; Moreno, P.; Rodriguez.

STATEMENT OF VOTE

When Record No. 138 was taken, I was in the house but away from my desk. I would have voted yes.

Rodriguez

**HB 839 ON THIRD READING
(by Riddle, Keel, and B. Cook)**

HB 839, A bill to be entitled An Act relating to the disposition of certain obscene material and child pornography.

HB 839 was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 840 ON THIRD READING
(by Riddle, Keel, B. Cook, and Anchia)**

HB 840, A bill to be entitled An Act relating to the forfeiture of contraband used to facilitate or intended to be used to facilitate the commission of certain criminal offenses.

HB 840 was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.) (The vote was reconsidered later today, and **HB 840** was amended and was passed.)

**GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING**

The following bills were laid before the house and read second time:

**HB 68 ON SECOND READING
(by McClendon)**

HB 68, A bill to be entitled An Act relating to public nuisance actions involving criminal street gangs.

HB 68 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 225 ON SECOND READING
(by Driver, Keel, Hupp, Rose, Hegar, et al.)**

HB 225, A bill to be entitled An Act relating to the expiration of a renewed license to carry a concealed handgun.

HB 225 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Anchia and Hodge recorded voting no.)

HB 282 ON SECOND READING

(by Hope)

HB 282, A bill to be entitled An Act relating to the funding of alternative dispute resolution systems.

HB 282 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 404 ON SECOND READING

(by Villarreal and J. Davis)

HB 404, A bill to be entitled An Act relating to the membership of the Family and Protective Services Council.

HB 404 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 423 ON SECOND READING

(by Delisi)

CSHB 423, A bill to be entitled An Act relating to the online availability of certain state publications.

CSHB 423 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1077 ON SECOND READING

(by Crabb)

CSHB 1077, A bill to be entitled An Act relating to the composition of certain courts of appeals districts and to the assignment and transfer of cases in certain courts of appeals districts.

CSHB 1077 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Kolkhorst and McReynolds recorded voting no.)

REASON FOR VOTE

This bill passed on voice vote. I'm concerned that not all of my people in Angelina County are aware of this judicial redistricting and am reluctant to show my approval until certain of its advantages or/and disadvantages.

McReynolds

HB 1286 ON SECOND READING (by Callegari)

HB 1286, A bill to be entitled An Act relating to the regulation of service contract providers and administrators.

Amendment No. 1

Representative Callegari offered the following amendment to **HB 1286**:

Amend **HB 1286** as follows:

(1) On page 2, line 23, between "registration" and the period, insert "or renewal".

(2) On page 3, line 11, between "reimbursement" and "policy", insert "insurance".

(3) On page 3, line 12, between "reimbursement" and "policy", insert "insurance".

(4) On page 5, line 3, strike "(e), and (f)" and substitute "and (e)".

(5) On page 6, line 13, between "the" and "policy", insert "reimbursement insurance".

(6) On page 6, line 16, strike "Subchapter B" and substitute "Subchapters B and C".

(7) On page 6, line 18, strike "that subchapter [~~those articles~~]" and substitute "those subchapters [~~articles~~]".

(8) Strike page 6, line 25, through page 7, line 7, and substitute:

(b-1) If the insurer or provider cancels the reimbursement insurance policy, the provider named on the policy may not issue a new service contract after the effective date of the cancellation unless:

(1) the provider files with the executive director a copy of a new policy that meets the requirements of this section and that provides coverage after that date; or

(2) the provider complies with other financial security requirements provided by Section 1304.151(a)(2).

(9) Strike page 7, lines 15-18.

(10) On page 7, line 19, strike "(f)" and substitute "(e)".

Amendment No. 1 was adopted.

HB 1286, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Rules and Resolutions, upon adjournment today, 2W.25, for a formal meeting, to consider a calendar.

Land and Resource Management, upon adjournment today, Desk 74, for a formal meeting, to consider committee minutes and pending business.

HB 840 - VOTE RECONSIDERED

Representative Dutton moved to reconsider the vote by which **HB 840** was passed.

The motion to reconsider prevailed.

HB 840 ON THIRD READING
(by Riddle, Keel, B. Cook, and Anchia)

HB 840, A bill to be entitled An Act relating to the forfeiture of contraband used to facilitate or intended to be used to facilitate the commission of certain criminal offenses.

HB 3483 - PERMISSION TO INTRODUCE

Representative Isett requested permission to introduce and have placed on first reading **HB 3483**.

Permission to introduce was granted.

HB 840 - (consideration continued)**Amendment No. 1**

Representative Dutton offered the following amendment to **HB 840**:

Amend **HB 840** on 3rd Reading by adding an appropriately numbered section to read as follows and by renumbering existing sections accordingly:

SECTION ____. Article 59.02, Code of Criminal Procedure, is amended by adding Subsection (j) to read as follows:

(j) Notwithstanding any other provision of this chapter, community property, property that is jointly owned, or property that was loaned by the owner or interest holder to another person for a reason other than to facilitate the commission of an offense is not subject to forfeiture if the spouse, joint owner, or owner or interest holder establishes by a preponderance of the evidence that:

(1) the spouse, joint owner, or owner or interest holder was not a party to the offense; and

(2) the actor in the criminal offense used or intended to use the property without the effective consent of the spouse or joint owner or used or intended to use the property in a manner not reasonably foreseen by the person loaning the property.

Amendment No. 1 was adopted.

HB 840, as amended, was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Chavez recorded voting no.)

HR 790 - ADOPTED
(by Hilderbran)

Representative Edwards moved to suspend all necessary rules to take up and consider at this time **HR 790**.

The motion prevailed.

The following resolution was laid before the house:

HR 790, Honoring Foy Gibson of Bend on being named the 2004 Texas Wheat Man of the Year.

HR 790 was adopted.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Edwards requested permission for the Committee on Rules and Resolutions to meet while the house is in session, during bill referral today, in 2W.25, to consider pending resolutions and a congratulatory and memorial calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Rules and Resolutions, during bill referral today, 2W.25, for a formal meeting, to consider a congratulatory and memorial calendar and pending resolutions.

PROVIDING FOR ADJOURNMENT

Representative Callegari moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow.

The motion prevailed.

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES
CORRECTIONS IN REFERRAL**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Pursuant to Rule 1, Section 4 of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Hardcastle in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 11:33 a.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HB 3082 (By Kolkhorst), Relating to the eligibility of school district bonds for state assistance under the existing debt allotment.

To Public Education.

HB 3083 (By Kolkhorst), Relating to the use of direct recording electronic voting machines.

To Elections.

HB 3084 (By Farabee), Relating to a study of duties, compensation and benefits of paraprofessional personnel in Texas public school districts.

To Public Education.

HB 3085 (By Farabee), Relating to disclosure of information in investigation files of the Texas Workers' Compensation Commission.

To Business and Industry.

HB 3086 (By Farabee), Relating to deceptive use of the logo or name of the Texas Workers' Compensation Commission.

To Business and Industry.

HB 3087 (By Farabee), Relating to changes in premiums applicable to individual accident and health insurance policies.

To Insurance.

HB 3088 (By Dutton), Relating to the evaluation of school district disciplinary alternative education programs.

To Public Education.

HB 3089 (By Dutton), Relating to contracts with private entities to operate state hospitals for persons with mental illness.

To Public Health.

HB 3090 (By D. Jones and Isett), Relating to authority to conduct a closed meeting to discuss certain personnel matters involving a municipal advisory body.

To State Affairs.

HB 3091 (By P. King), Relating to quality management certification for public schools.

To Public Education.

HB 3092 (By Peña), Relating to certain requirements for filing an application for court-ordered chemical dependency treatment services for an adult.

To Public Health.

HB 3093 (By Peña), Relating to ex parte petitions for the expunction of criminal records and files.

To Criminal Jurisprudence.

HB 3094 (By West), Relating to the creation of the Texas Energy Planning Council.

To Energy Resources.

HB 3095 (By West), Relating to use of electronically readable information from a driver's license or personal identification certificate by a commercial business.

To Transportation.

HB 3096 (By West), Relating to the energy efficiency goal of electric utilities.

To Regulated Industries.

HB 3097 (By Laubenberg), Relating to reporting of diabetes diagnosed in persons younger than 18 years of age.

To Public Health.

HB 3098 (By Laubenberg), Relating to the composition of the Rockwall County Juvenile Board.

To Juvenile Justice and Family Issues.

HB 3099 (By McReynolds), Relating to a risk assessment program for Type 2 diabetes and the creation of the Type 2 Diabetes Risk Assessment Program Advisory Council.

To Public Health.

HB 3100 (By McReynolds), Relating to the regulation of the practice of nursing.

To Public Health.

HB 3101 (By Casteel), Relating to the filing for record in the county clerk's office a plat or replat of a subdivision of real property.

To Land and Resource Management.

HB 3102 (By McReynolds), Relating to the employment recruitment and retention of physicians by rural hospitals.

To Public Health.

HB 3103 (By Puente), Relating to authorizing measures to support efforts to attract major motor sports racing events to this state.

To Culture, Recreation, and Tourism.

HB 3104 (By Edwards), Relating to the recognition of law enforcement officers in certain counties.

To Law Enforcement.

HB 3105 (By Corte), Relating to the residency requirements for tuition and fee exemptions for certain military personnel and their dependents.

To Defense Affairs and State-Federal Relations.

HB 3106 (By Thompson), Relating to the creation of the Institute on Race, Crime, and Justice at the University of North Texas at Dallas to examine and provide training regarding racial profiling by law enforcement and participation by members of certain underrepresented racial or ethnic groups in law enforcement.

To Higher Education.

HB 3107 (By Thompson), Relating to the definition of facility.

To State Affairs.

HB 3108 (By Burnam), Relating to the imposition of an energy efficiency tax and to the use of the proceeds to fund education; providing penalties.

To Ways and Means.

HB 3109 (By Burnam), Relating to the hours of work of corrections officers employed by the Texas Department of Criminal Justice.

To Corrections.

HB 3110 (By Quintanilla), Relating to the transfer of alcoholic beverages.

To Licensing and Administrative Procedures.

HB 3111 (By Corte), Relating to the ability of a presiding officer of a local governing body to order an evacuation during a declaration of an emergency.

To Defense Affairs and State-Federal Relations.

HB 3112 (By Corte), Relating to the security of computer networks in state government.

To Defense Affairs and State-Federal Relations.

HB 3113 (By Corte), Relating to performance incentive awards for certain employees of state agencies who provide services to veterans.

To Defense Affairs and State-Federal Relations.

HB 3114 (By Corte), Relating to managing and maximizing federal money for certain state programs.

To Defense Affairs and State-Federal Relations.

HB 3115 (By Corte), Relating to certain homeland security activities, including the operation of the Critical Infrastructure Protection Council by the office of the governor.

To Defense Affairs and State-Federal Relations.

HB 3116 (By Corte), Relating to the authority of regional planning commissions with respect to mutual aid agreements for emergency management purposes.

To Defense Affairs and State-Federal Relations.

HB 3117 (By Isett), Relating to the suspension of a license for refusing to undergo a blood alcohol level test
To Law Enforcement.

HB 3118 (By R. Allen), Relating to fees collected for services provided by the Commission on Jail Standards.
To County Affairs.

HB 3119 (By Giddings), Relating to the grade point average of and imposition of a fee on a student who repeats a course at a public institution of higher education.
To Higher Education.

HB 3120 (By Giddings), Relating to the regulation of private child support enforcement agencies and collection of child support obligations; providing a criminal penalty.
To Juvenile Justice and Family Issues.

HB 3121 (By Giddings), Relating to the continuation and operation of the workers' compensation system of this state.
To Business and Industry.

HB 3122 (By Giddings), Relating to prohibiting the sale, possession, or use of a device that vaporizes alcoholic beverages for the purpose of inhalation; providing criminal penalties.
To Licensing and Administrative Procedures.

HB 3123 (By R. Cook), Relating to the applicability of groundwater conservation district rules to the state.
To Natural Resources.

HB 3124 (By R. Cook), Relating to the ad valorem taxation of certain property owned by a municipality.
To Ways and Means.

HB 3125 (By Eiland), Relating to a retired employee's eligibility for participation in the optional retirement system.
To Pensions and Investments.

HB 3126 (By Eiland), Relating to the regulation of investment advisors in the optional retirement program.
To Pensions and Investments.

HB 3127 (By Eiland), Relating to the split payment of ad valorem taxes on residential homesteads.
To Ways and Means.

HB 3128 (By Eiland, Seaman, and Escobar), Relating to the funding of coastal erosion response activities and the coastal management program; imposing surcharges and fees.
To Land and Resource Management.

HB 3129 (By Hamilton), Relating to the creation of a driver safety program for holders of provisional driver's licenses.

To Transportation.

HB 3130 (By Martinez Fischer), Relating to certain procedures for the handling of criminal cases in justice or municipal court.

To Criminal Jurisprudence.

HB 3131 (By Martinez Fischer), Relating to the payment of court costs required in connection with the suspension of sentence and deferral of final disposition in certain misdemeanor traffic cases.

To Criminal Jurisprudence.

HB 3132 (By Martinez Fischer), Relating to the report of a motor vehicle accident prepared by a law enforcement officer.

To Law Enforcement.

HB 3133 (By Martinez Fischer), Relating to the enrollment of certain first-generation higher education students in the prepaid higher education tuition program.

To Higher Education.

HB 3134 (By Castro), Relating to health education curriculum and instruction in public schools.

To Public Education.

HB 3135 (By Castro), Relating to the release of certain information held by the Title IV-D agency in connection with child support services provided by the agency.

To Juvenile Justice and Family Issues.

HB 3136 (By Castro), Relating to the enforcement of child support arrearages by imposition of a lien on the obligor's property or a levy on the obligor's financial assets.

To Juvenile Justice and Family Issues.

HB 3137 (By Castro), Relating to permitting a member of the Teacher Retirement System of Texas to establish equivalent membership service for time spent serving in the Peace Corps.

To Pensions and Investments.

HB 3138 (By Castro), Relating to the registration of voters at a polling place and related procedures.

To Elections.

HB 3139 (By Hughes), Relating to regulation of rebates offered by premium finance companies and certain related persons or entities.

To Insurance.

HB 3140 (By Hughes), Relating to exemption of certain electronic access control device providers from private security regulation.

To Law Enforcement.

HB 3141 (By Hughes), Relating to outdoor burning in certain counties under the Texas Clean Air Act.

To Environmental Regulation.

HB 3142 (By Hughes), Relating to the standards for the collection, retention and dissemination of government video and audio surveillance information.

To State Affairs.

HB 3143 (By Hughes), Relating to the reverse auction process at the Texas Building and Procurement Commission.

To State Affairs.

HB 3144 (By Hughes), Relating to hunting on certain parts of Big Sandy Creek; providing a penalty.

To Culture, Recreation, and Tourism.

HB 3145 (By Castro), Relating to the minimum height required for guardrails on bridges or overpasses.

To Transportation.

HB 3146 (By Hilderbran), Relating to the establishment of a land conservation program and land conservation council in the Parks and Wildlife Department.

To Land and Resource Management.

HB 3147 (By Turner), Relating to authorizing the Texas Building and Procurement Commission to enter into more favorable lease with option to purchase agreements with regards to certain space currently occupied under lease with option to purchase agreements.

To State Affairs.

HB 3148 (By Turner), Relating to civil liability for violations of law involving the making, acceptance, or reporting of political contributions and expenditures.

To Elections.

HB 3149 (By Wong), Relating to providing for an inactive license status for a cosmetology licensee.

To Government Reform.

HB 3150 (By Escobar), Relating to protection of animal shelters from fireworks.

To County Affairs.

HB 3151 (By Escobar), Relating to discovery of certain communications with a witness in a criminal case.

To Criminal Jurisprudence.

HB 3152 (By Escobar), Relating to procedures applicable to waivers of the right to counsel.

To Criminal Jurisprudence.

HB 3153 (By Escobar), Relating to the creation of a wind power research institute at Texas A&M University–Kingsville.

To Higher Education.

HB 3154 (By Escobar), Relating to the confidentiality of records regarding sex offense victims.

To Criminal Jurisprudence.

HB 3155 (By Escobar), Relating to the creation of a judicial district in Kenedy and Kleberg Counties and to the composition of the 105th Judicial District.

To Judiciary.

HB 3156 (By M. Noriega), Relating to monitoring and controlling emissions of air contaminants under the Texas Clean Air Act.

To Environmental Regulation.

HB 3157 (By M. Noriega), Relating to the requirements for filing an annual financial statement by a municipality.

To Urban Affairs.

HB 3158 (By M. Noriega), Relating to persons eligible to administer or take a high school equivalency examination.

To Public Education.

HB 3159 (By M. Noriega), Relating to the effect that certain orders relating to family violence and certain decisions regarding military service have on residential leases and lease agreements.

To Business and Industry.

HB 3160 (By M. Noriega), Relating to service and disability retirement benefits and death benefits for rescue specialists.

To Pensions and Investments.

HB 3161 (By M. Noriega), Relating to the designation of a parking space for a person with disabilities.

To Transportation.

HB 3162 (By M. Noriega), Relating to the temporary replacement of a member of a political party's county executive committee who enters active military service.

To Defense Affairs and State-Federal Relations.

HB 3163 (By M. Noriega), Relating to the membership of the Texas Military Preparedness Commission.

To Defense Affairs and State-Federal Relations.

HB 3164 (By M. Noriega), Relating to taxes, assessments, and impact fees imposed on residential property by the Greater East End Management District.

To County Affairs.

HB 3165 (By M. Noriega), Relating to awards for certain members of the state military forces serving on active federal military duty.

To Defense Affairs and State-Federal Relations.

HB 3166 (By Hodge), Relating to requiring the corroboration of certain testimony to support a criminal conviction.

To Criminal Jurisprudence.

HB 3167 (By Hilderbran), Relating to the reporting of political contributions and expenditures by certain political committees.

To Elections.

HB 3168 (By F. Brown), Relating to the court house security fund.

To County Affairs.

HB 3169 (By Crownover), Relating to the credit purchase option program administered by the Teachers Retirement System of Texas.

To Pensions and Investments.

HB 3170 (By Geren), Relating to legislative review and gubernatorial suspension of certain rules of state agencies.

To Government Reform.

HB 3171 (By Geren), Relating to the procedure for collecting signatures on a petition filed in connection with a candidate's application for a place on the ballot.

To Elections.

HB 3172 (By Geren), Relating to the authorization and regulation of gambling and to the creation, powers, and duties of the Texas Gaming Commission; authorizing taxes; providing civil and criminal penalties.

To Ways and Means.

HB 3173 (By Paxton), Relating to the use of municipal hotel occupancy tax revenue.

To Local Government Ways and Means.

HB 3174 (By Truitt), Relating to the licensing and regulation of wholesale drug distributors; providing penalties.

To Public Health.

HB 3175 (By Truitt), Relating to authority to annex a water or sewer district.

To Land and Resource Management.

HB 3176 (By Truitt), Relating to audits of providers in the Medicaid vendor drug program.

To Public Health.

HB 3177 (By Truitt), Relating to the allocation of money in the designated trauma facility and emergency medical services account.

To Public Health.

HB 3178 (By Truitt), Relating to the regulation of laser hair removal facilities; providing penalties.

To Public Health.

HB 3179 (By P. King), Relating to the promotion of fair competition and intermodal parity among communications service providers, including assessment on the sale of communications service and municipal and state authority with regard to the providers.

To Regulated Industries.

HB 3180 (By Turner), Relating to reduced electric customer fees and continuation of low-income programs established as part of electric utility restructuring.

To Regulated Industries.

HB 3181 (By Turner), Relating to the creation, administration, powers, duties, operation, and financing of the Central Harris County Regional Water Authority; granting the power of eminent domain; granting the authority to issue bonds or notes; providing a civil penalty.

To Natural Resources.

HB 3182 (By Turner), Relating to due process for certain law enforcement officers.

To Urban Affairs.

HB 3183 (By Goolsby), Relating to county and district court filing fees.

To Judiciary.

HB 3184 (By Swinford), Relating to the disclosure of sales price to previous owner/client when a broker purchases real property from clients and resells within one year.

To Business and Industry.

HB 3185 (By Swinford), Relating to exemptions from permitting requirements for dams and reservoirs on private property.

To Natural Resources.

HB 3186 (By Casteel), Relating to the sale of property of a decedent's estate.

To Judiciary.

HB 3187 (By Menendez and Straus), Relating to allowing the creation of multi-jurisdictional library districts; imposing a tax.

To Local Government Ways and Means.

HB 3188 (By T. Smith), Relating to provision of health care services by health maintenance organizations and preferred provider benefit plans.

To Insurance.

HB 3189 (By Gallego), Relating to the sale or conveyance of the Presidio International Bridge.

To Transportation.

HB 3190 (By Bailey), Relating to the licensing and regulation of journeyman and apprentice sheet metal workers.

To Licensing and Administrative Procedures.

HB 3191 (By Bailey), Relating to the reporting and misclassification of employees and independent contractors; providing administrative penalties.

To Economic Development.

HB 3192 (By Bailey), Relating to eligibility for an early college start program offered by a public junior college district.

To Higher Education.

HB 3193 (By Bailey), Relating to the offense of arson and to the sentencing of that offense; providing criminal penalties.

To Criminal Jurisprudence.

HB 3194 (By T. Smith), Relating to third-party civil liability for certain persons entering into building or construction contracts.

To Criminal Jurisprudence.

HB 3195 (By T. Smith), Relating to combined municipal sales tax ballot propositions.

To Local Government Ways and Means.

HB 3196 (By Denny), Relating to certain temporary wine and beer retailer's permits.

To Licensing and Administrative Procedures.

HB 3197 (By Hope), Relating to Boating Safety.

To Culture, Recreation, and Tourism.

HB 3198 (By Hope), Relating to a revision of the procedures for municipal annexation in certain municipalities.

To Land and Resource Management.

HB 3199 (By Hope), Relating to the terms of court of the 410th District Court.

To Judiciary.

HB 3200 (By Madden and McCall), Relating to single employer benefit plans.

To Pensions and Investments.

HB 3201 (By Escobar), Relating to the Texas Shrimp Marketing fund.

To Agriculture and Livestock.

HB 3202 (By Veasey), Relating to the powers and duties of the board of directors of a tax increment financing reinvestment zone and of the taxing units that impose ad valorem taxes on property in the zone.

To Local Government Ways and Means.

HB 3203 (By Zedler), Relating to the operation of a motorcycle on which a young person is a passenger.

To Transportation.

HB 3204 (By Oliveira), Relating to the Texas Shrimp Marketing Assistance Program.

To Agriculture and Livestock.

HB 3205 (By Coleman), Relating to depictions of gender and ethnicity in textbooks used in the public schools.

To Public Education.

HB 3206 (By Guillen), Relating to fire regulations for certain small commercial structures.

To County Affairs.

HB 3207 (By Zedler), Relating to certain criminal conduct in election matters; providing penalties.

To Elections.

HB 3208 (By Zedler), Relating to the investigation of criminal conduct in election matters.

To Elections.

HB 3209 (By Gallego), Relating to the rights of landowners and their lessees and assigns in groundwater.

To Natural Resources.

HB 3210 (By Gallego), Relating to the regulation of political contributions and expenditures made by professional corporations.

To Elections.

HB 3211 (By Coleman), Relating to the availability of free prekindergarten programs in public schools.

To Public Education.

HB 3212 (By Coleman), Relating to the extension of credit to a victim of identity theft.

To Financial Institutions.

HB 3213 (By Coleman), Relating to the exemption from the sales tax for clothing and footwear.

To Ways and Means.

HB 3214 (By Coleman), Relating to exemptions from the sales tax for certain school supplies and instructional materials.

To Ways and Means.

HB 3215 (By Coleman), Relating to the repeal of the offense of homosexual conduct.

To State Affairs.

HB 3216 (By Coleman), Relating to report of inmate death.

To Corrections.

HB 3217 (By Coleman), Relating to assault by employee on inmate.

To Corrections.

HB 3218 (By Coleman), Relating to reports regarding participation in higher education.

To Higher Education.

HB 3219 (By Merritt), Relating to a requirement that the Bureau of Economic Geology of The University of Texas at Austin conduct a study of the East Texas Oil Field, a natural resource of the Texas-Louisiana border region.

To Energy Resources.

HB 3220 (By Pitts), Relating to additional reporting requirements for political contributions and expenditures in regard to certain constitutional amendment elections.

To Elections.

HB 3221 (By Callegari), Relating to the records of certain vehicle repairs, sales, and purchases; providing penalties.

To Transportation.

HB 3222 (By Villarreal), Relating to the state administration of taxation.

To Ways and Means.

HB 3223 (By F. Brown), Relating to admission to the Joint Admission Medical Program.

To Higher Education.

HB 3224 (By Riddle, M. Noriega, Escobar, Berman, Uresti, et al.), Relating to the creation of the Texas service members memorial fund and the use of other sources of money to provide benefits to survivors of certain members of the United States armed forces.

To Pensions and Investments.

HB 3225 (By Casteel), Relating to mandatory jail time for certain child support obligors who fail or refuse to pay child support.

To Juvenile Justice and Family Issues.

HB 3226 (By Swinford), Relating to the establishment of a statewide maintenance program for boll weevil and pink bollworm eradication.

To Agriculture and Livestock.

HB 3227 (By Swinford), Relating to requirements imposed under the vehicle fleet management plan.

To State Affairs.

HB 3228 (By Hill), Relating to the creation, organization, management, powers and duties, and development of service and financial plan for a regional passenger rail district in metropolitan areas; providing for elections; providing for a governing structure; authorizing contracting with existing public transportation providers; making provisions as to severability; and declaring an emergency.

To Transportation.

HB 3229 (By Flores), Relating to the reinstatement of attorneys after disbarment.

To Judiciary.

HB 3230 (By Flores), Relating to authorizing the operation of video lottery games on behalf of this state, the powers and duties of the Texas Lottery Commission, and the regulation of gaming in this state; providing penalties.

To Ways and Means.

HB 3231 (By Uresti), Relating to requiring certain criminal defendants released on personal bond to post an additional cash bond.

To Criminal Jurisprudence.

HB 3232 (By Uresti), Relating to the establishment of the Texas Department of Health Professions Licensing and the transfer of the regulation of certain licensed health professions to that department; providing a civil penalty.

To Government Reform.

HB 3233 (By Uresti), Relating to the administration and operation of community supervision and corrections departments.

To Corrections.

HB 3234 (By Uresti), Relating to safety equipment provisions in contracts for construction, repair, rehabilitation, or alteration of public school facilities.

To Public Education.

HB 3235 (By Uresti), Relating to providing interpreter services to certain recipients of medical assistance or their parents or guardians.

To Human Services.

HB 3236 (By Uresti), Relating to certain members of the Employees Retirement System of Texas who retire and return to state employment.

To Pensions and Investments.

HB 3237 (By Uresti), Relating to the designation of a school entrance as a stop intersection.

To Transportation.

HB 3238 (By Uresti), Relating to the closure of local eligibility determination offices for health and human services programs.

To Human Services.

HB 3239 (By Uresti), Relating to the wholesale distribution of prescription drugs; providing penalties.

To Public Health.

HB 3240 (By Paxton), Relating to qualifying trusts for purposes of residence homesteads.

To Judiciary.

HB 3241 (By T. Smith), Relating to the civil and criminal consequences of engaging in certain intoxication offenses or refusing to submit to the taking of a specimen to test for intoxication.

To Law Enforcement.

HB 3242 (By Uresti), Relating to charity care and government-sponsored indigent health care provided at certain for-profit hospitals.

To Public Health.

HB 3243 (By Homer), Relating to licensing of attorneys.
To Judiciary.

HB 3244 (By Homer), Relating to wine tasting on certain premises.
To Licensing and Administrative Procedures.

HB 3245 (By Homer), Relating to allowing a governmental body to discuss matters regarding computer security in a closed meeting.
To State Affairs.

HB 3246 (By Homer), Relating to the distribution of proceeds from the sale of certain forfeited property in a criminal case.
To Criminal Jurisprudence.

HB 3247 (By Ritter), Relating to a program to promote research with economic development potential at certain institutions of higher education through financial assistance from the Texas Enterprise Fund.
To Economic Development.

HB 3248 (By Ritter), Relating to the funding of coastal erosion response activities and the coastal management program; imposing surcharges and fees.
To Land and Resource Management.

HB 3249 (By Ritter), Relating to the enterprise zone program.
To Economic Development.

HB 3250 (By Ritter), Relating to the acquisition of unemployment compensation experience after the transfer of an employing unit; providing penalties.
To Economic Development.

HB 3251 (By Ritter), Relating to the funding of the coastal protection fund and the use of money in the fund.
To Land and Resource Management.

HB 3252 (By Ritter), Relating to imposition of a fee to provide permanent funds for use in the protection of the Texas coast, including Texas beaches.
To Ways and Means.

HB 3253 (By Ritter), Relating to the use of certain electronically readable information on a driver's license or identification certificate to comply with certain alcohol and tobacco related laws; providing a penalty.
To Transportation.

HB 3254 (By Van Arsdale), Relating to hiring Teacher Retirement System of Texas retirees to fill positions in acute shortage areas.
To Public Education.

HB 3255 (By Van Arsdale), Relating to consolidated collection of ad valorem taxes by the county tax assessor-collector.
To Local Government Ways and Means.

HB 3256 (By Van Arsdale), Relating to requiring approval by certain elected officials for certain proposed toll projects in certain counties.
To Transportation.

HB 3257 (By Van Arsdale), Relating to the prohibition of certain discrimination against an employee regarding a workers' compensation claim.

To Business and Industry.

HB 3258 (By Van Arsdale), Relating to distribution of certain child support payments by the state disbursement unit.

To Juvenile Justice and Family Issues.

HB 3259 (By Van Arsdale), Relating to the denial of a license to an applicant who is delinquent in the payment of ad valorem taxes.

To Ways and Means.

HB 3260 (By Van Arsdale), Relating to the penalties for certain gambling offenses and to the forfeiture of certain gambling devices, equipment, and paraphernalia.

To Criminal Jurisprudence.

HB 3261 (By Van Arsdale), Relating to requiring approval of certain contracts entered into between superintendents and independent school districts.

To Public Education.

HB 3262 (By Escobar), Relating to the validation of a governmental act or proceeding of the Town of South Padre Island.

To Land and Resource Management.

HB 3263 (By Hegar), Relating to the powers and duties of the district attorney and county attorney in Fort Bend County.

To Judiciary.

HB 3264 (By Straus), Relating to conduct surety bonds as required by the Texas Alcoholic Beverage Commission.

To Licensing and Administrative Procedures.

HB 3265 (By Straus), Relating to the declaration of a mistrial in the punishment phase of a criminal proceeding.

To Criminal Jurisprudence.

HB 3266 (By Straus), Relating to the reimbursement by certain defendants for the cost of confinement in county jail.

To County Affairs.

HB 3267 (By Straus), Relating to the transfer of certain convicted felons from county jail to the custody of the Texas Department of Criminal Justice.

To Criminal Jurisprudence.

HB 3268 (By Casteel), Relating to the creation of an additional judicial district in Comal County.

To Judiciary.

HB 3269 (By Blake and McReynolds), Relating to designating the Texas Historical Commission to administer the El Camino Real de los Tejas National Trail and coordinate the efforts of Texas public and private entities on trail education, interpretation, and preservation.

To Culture, Recreation, and Tourism.

HB 3270 (By B. Keffer), Relating to taxable premium receipts.
To Insurance.

HB 3271 (By B. Keffer), Relating to dental care insurance benefit plans.
To Insurance.

HB 3272 (By Strama), Relating to testing deceased persons for communicable diseases after an accidental exposure of certain persons.
To Public Health.

HB 3273 (By Strama), Relating to the denial of certain landfill permits by the Texas Commission on Environmental Quality.
To Environmental Regulation.

HB 3274 (By Isett), Relating to the award of state contracts for commercially available services.
To Government Reform.

HB 3275 (By Isett), Relating to abolishing the Agriculture Resources Protection Authority.
To Agriculture and Livestock.

HB 3276 (By Isett), Relating to the reporting of data from health care facilities and the disclosure of estimated charges and the billing policies of certain health care facilities.
To Public Health.

HB 3277 (By Isett), Relating to health benefit plan coverage for persons engaged in risky activities.
To Insurance.

HB 3278 (By Isett), Relating to the management, security, and protection of personal information and governmental records; providing a criminal penalty.
To State Affairs.

HB 3279 (By West), Relating to statewide coordination of public transportation.
To Transportation.

HB 3280 (By Campbell), Relating to increasing funding for sheriffs in certain small border counties.
To Border and International Affairs.

HB 3281 (By Thompson), Relating to financial arrangements between referring health care providers and providers of designated health services and supplies; providing penalties.
To Business and Industry.

HB 3282 (By McCall), Relating to a tax credit for corporations that donate money or art to art museums, galleries, or collections that are open to the public.
To Ways and Means.

HB 3283 (By Guillen), Relating to the imposition of state taxes to fund childhood obesity prevention programs.
To Ways and Means.

HB 3284 (By Guillen), Relating to requiring voter approval for certain rate increases by water and sewer utilities.

To Natural Resources.

HB 3285 (By Swinford), Relating to the abolition of the State Aircraft Pooling Board and its functions.

To State Affairs.

HB 3286 (By Swinford), Relating to enabling the use of biofuels (ethanol and biodiesel) in Texas.

To Environmental Regulation.

HB 3287 (By Swinford), Relating to payment for livestock feeding and care charges.

To Agriculture and Livestock.

HB 3288 (By Swinford), Relating to municipal authority over certain property that is subject to an agreement.

To Land and Resource Management.

HB 3289 (By Swinford), Relating to certain time limits on and the consequences of a delay in the state's readiness to proceed with the trial of a criminal case.

To Criminal Jurisprudence.

HB 3290 (By Chisum), Relating to enabling the use of fuel ethanol and biodiesel in Texas.

To Environmental Regulation.

HB 3291 (By Strama), Relating to political contributions and expenditures; providing civil and criminal penalties.

To Elections.

HB 3292 (By Bohac), Relating to notice provided to a county of an election ordered by a political subdivision.

To Elections.

HB 3293 (By Bohac), Relating to the filing period for a candidate's application for a place on a special election ballot.

To Elections.

HB 3294 (By Bohac), Relating to provisional voting by a person who applied for an early voting ballot by mail.

To Elections.

HB 3295 (By Bohac), Relating to the electronic reporting of precinct results to the secretary of state.

To Elections.

HB 3296 (By Bohac), Relating to authorizing a general-purpose political committee to conduct a raffle to raise money for political purposes.

To Licensing and Administrative Procedures.

HB 3297 (By Bohac), Relating to the inclusion of certain public school accountability information in a student's grade report card and on a school district's Internet website.

To Public Education.

HB 3298 (By Bohac), Relating to providing tax relief and protection for ad valorem tax payers.

To Ways and Means.

HB 3299 (By Seaman), Relating to valuation fees for life insurance.

To Insurance.

HB 3300 (By Thompson), Relating to certain coverages under an automobile insurance policy.

To Insurance.

HB 3301 (By Corte), Relating to a fee on sales of alcoholic beverages in certain municipalities to fund fire and emergency services and related educational activities.

To Ways and Means.

HB 3302 (By Corte), Relating to the membership of the Texas Military Preparedness Commission.

To Defense Affairs and State-Federal Relations.

HB 3303 (By J. Davis), Relating to emergency apprehension and detention of a person believed to have a mental illness.

To Human Services.

HB 3304 (By J. Davis), Relating to the regulation of roofing contractors; providing penalties.

To Licensing and Administrative Procedures.

Pursuant to Rule 1, Section 4 of the House Rules, the chair corrects the referral of the following bills and resolutions:

HB 164 (By Berman, Flynn, Phillips, Madden, Driver, et al.), Relating to the civil and criminal consequences of engaging in certain conduct related to the manufacture of methamphetamine and to the distribution and retail sales of pseudoephedrine; providing penalties.

To Law Enforcement.

HB 867 (By R. Allen), Relating to the registration and supervision of sex offenders; providing penalties.

To Criminal Jurisprudence.

HB 2392 (By Hill), Relating to the property tax situs and rendition requirements for motor vehicles located at a place of business of a wholesale motor vehicle auction.

To Local Government Ways and Means.

HB 2420 (By Chavez and Solis), Relating to the allocation of federal funds directed to be used to support graduate medical education in connection with the state Medicaid program.

To Border and International Affairs.

HB 2627 (By P. Moreno), Relating to certain requirements for issuance of a barbershop permit.

To Government Reform.

HB 3016 (By Hill), Relating to the treatment for ad valorem tax purposes of certain drugs and medicines located in this state for a temporary period.

To Local Government Ways and Means.

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

House List No. 21

HCR 86, HCR 109

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Friday, March 18, 2005

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 75 Shapleigh

Relating to high school diplomas for certain veterans.

SB 212 Shapleigh

Relating to the provision of employment services by the Texas Workforce Commission to the families of military personnel stationed in this state.

SB 296 Madla

Relating to the student enrollment required for the operation of Texas A&M University–San Antonio and Texas A&M University–Central Texas as independent general academic teaching institutions.

SB 299 Wentworth
Relating to the exception from required public disclosure of the name of an applicant for the position of city manager of certain home-rule municipalities.

SB 335 Carona
Relating to the recording of electronic documents.

SB 450 Wentworth
Relating to the confidentiality of certain personal information regarding the employees of a prosecutor's office or of an office with jurisdiction over child protective services.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

March 17

County Affairs - **HB 232, HB 961, HB 1267, HB 1428**

Environmental Regulation - **HB 1429**

Judiciary - **HB 388, HB 389, HB 1119, HB 1142**

Licensing and Administrative Procedures - **HB 1236, HB 1393**

Local Government Ways and Means - **HB 132, HB 824**

Urban Affairs - **HB 150, HB 857, HB 1096**

March 18

Border and International Affairs - **HB 1562, HCR 69**

Business and Industry - **HB 695, HB 1130, HB 1154, HB 1319, HB 1507**

Criminal Jurisprudence - **HB 434, HB 915, HB 970, HB 975, HB 1323**

Environmental Regulation - **HB 965**

Judiciary - **HB 75, HB 496**

Pensions and Investments - **HB 70, HB 330, HB 604**

Regulated Industries - **HB 554, HB 1098**

ENGROSSED

March 17 - HB 47, HB 86, HB 162, HB 269, HB 377, HB 413, HB 633, HB 699, HB 825, HB 969, HB 1044, HB 1099,

March 18 - HB 76

ENROLLED

March 18 - HCR 86, HCR 109

SENT TO THE GOVERNOR

March 17 - HCR 70, HCR 106

